

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CARLOS TOVAR MENDOZA,

Petitioner,

v.

CIV 05-1303 BB/CEG

ANTHONY ROMERO, Director,
Regional Correctional Center, et al.,

Respondents.

AMENDED PROPOSED FINDINGS AND RECOMMENDED DISPOSITION

This matter is before the Court on Petitioner Carlos Tovar Mendoza's Objections to the Proposed Findings and Recommended Disposition. *See Doc. 37.* The Court has considered Petitioner's objections and, in light of the record and the relevant law, concludes that Petitioner's request for an evidentiary hearing is well taken and should be granted. Timely objections to the foregoing may be made pursuant to 28 U.S.C. § 636(b)(1).

IT IS HEREBY RECOMMENDED THAT an evidentiary hearing is warranted.

THE PARTIES ARE FURTHER NOTIFIED THAT WITHIN 10 DAYS OF SERVICE of a copy of these Proposed Findings and Recommended Disposition they may file written objections with the Clerk of the District Court pursuant to 28 U.S.C. § 636 (b)(1). A party must file any objections with the Clerk of the District Court within the ten day period if that party wants to have appellate review of the proposed findings and recommended disposition. If no objections are filed, no appellate review will be allowed.

A handwritten signature in black ink, appearing to read "Cannon", with a long horizontal flourish extending to the right.

UNITED STATES MAGISTRATE JUDGE